

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

RETAIL ACCESS OPTIMIZATION
INITIATIVE, 2011

DOCKET NO. N2011-1

DAVID B. POPKIN MOTION NUMBER 13

September 26, 2011

Respectfully submitted,

N20111MOTION13

DAVID B. POPKIN, POST OFFICE BOX 528, ENGLEWOOD, NJ 07631-0528

On September 14, 2011, I filed Motion Number 12 to make the Post Office Box usage data filed in Library Reference USPS LR N2011-1/NP4 public. On September 21, 2011, the Postal Service filed their RESPONSE OF THE UNITED STATES POSTAL SERVICE TO DAVID B. POPKIN MOTION NUMBER 12 ["Response"].

The Response contains a number of statements that require clarification.

A On page 1 of the Response, the Postal Service claims that any qualifying and agreeable participant can easily satisfy the need to obtain the information under protective conditions.

Regardless of how easy, in the Postal Service's view, it may be, a participant should not have to comply with all of the requirements of protective conditions to see information that is clearly publically available.

B On page 2 of the Response the Postal Service claims that the data on their website is available to business mailers and only in connection with a particular product, Every Day Direct Mail.

This information is on the USPS's public website and is available to anyone who knows how to find it. Furthermore, users of this data are not required to maintain the

data in confidence, not disclose it to anyone else, and destroy it after the case is concluded.

C On page 2 of the Response the Postal Service claims that Melissa Data is a third party provider and questions the accuracy of their data. According to their website, they have been in business since 1985 and if they were not providing their customer with accurate data it would seem unlikely that they would remain in business for over 25 years.

D On pages 2 and 3 of the Response the Postal Service makes the distinction between disaggregated information that may be available and the aggregation of all of the data into a single file. This concept was litigated in court with respect to blue collection boxes and post office locations.

E On page 4 of the Response, the Postal Service claims there is a distinction between competitive and market dominant locations. This distinction is not made in the availability of data and is irrelevant.

On page 2 of my Motion Number 12, I indicated that this data used to be available in hard copy as CRIS data. Today I called the Postal Service's Address Management Center in Memphis, Tennessee, and they indicated that I could subscribe to their Delivery Statistics Retrieval product for \$80.00 with monthly updates for a year and this would provide the delivery statistics for the country including the number of box holders at a facility. By completing the application PS Form 5111 April 2011 appearing on PDF page 5 at the following website:

https://ribbs.usps.gov/addressing/documents/tech_guides/pubs/AIS_VIEWER_USER.PDF

I can obtain the Address Information System [AIS] Viewer Order Form and get the entire country's data [Product ID ADS215R] for \$80.00/

For the reasons specified in my Motion Number 12 as well as this Motion, the data provided for Post Office Box holder should be made public.